



Linda S. Adams
Secretary for
Environmental Protection

California Regional Water Quality Control Board

San Diego Region

Over 50 Years Serving San Diego, Orange, and Riverside Counties
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Arnold Schwarzenegger
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September 15, 2008

In reply refer to:

SSCGWU: L10009131789:BMcDaniel

Mr. David Wick
CV Ventures, LLC
5440 Morehouse Dr. Ste 4000
San Diego, CA 92121

Mr. Brad Raulston, Executive Director
CDC of the City of National City
1243 National City Boulevard
National City, CA 91950

Mr. Chris Zapata, City Manager
City of National City
1243 National City Boulevard
National City, CA 91950

Mr. Herbert L. Fox
Boulevard Investors, Inc.
1726 Coltridge Lane
Bonita, CA 91902

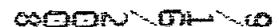
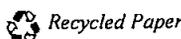
Dear Mssrs. Wick, Zapata, Fox and Raulston:

**SUBJECT: FORMER DUCK POND LANDFILL – NATIONAL CITY
ADDENDUM NO. 5 TO CLEANUP AND ABATEMENT ORDER (CAO)
NO. 95-66**

Enclosed is a copy of California Regional Water Quality Control Board, San Diego Region (Regional Board) Addendum No. 5 to Cleanup and Abatement Order (CAO) No. 95-66 concerning the former Duck Pond Landfill. Addendum No. 5 to Cleanup and Abatement Order (CAO) No. 95-66 is issued pursuant to Water Code section 13304 and removes SD Commercial, LLC, National Enterprises, Inc., and Rhode Island Acquisitions, No. 1, LLC from inclusion as responsible parties under the CAO. The CAO directs the remaining responsible parties to comply with the CAO's requirements, which remain unchanged by Addendum No. 5, and include the requirement to perform inspections and water quality monitoring to determine potential impacts to waters of the State. The Responsible Parties will be required to submit the water quality monitoring results and inspection reports to the Regional Board on a periodic basis.

As indicated in Addendum No. 5, any person adversely affected by this action of the Regional Board may petition the State Water Resources Control Board to review this action. The petition must be received by the State Water Resources Control Board, Office of Chief Counsel, P.O. Box 100, Sacramento, California, 95812-0100, within 30 days of the date on which this action was taken. Copies of the law and regulations applicable to filing petitions will be provided upon request.

California Environmental Protection Agency



Mssrs. Wick, Zapata, Fox and Raulston - 2 -
Duck Pond Landfill

September 15, 2008

The heading portion of this letter includes a Regional Board code number noted after "In reply refer to." In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter.

Please contact Mr. Brian McDaniel at (858) 627-3927 or Mr. John Anderson at (858) 467-2975 of my staff if you have any questions regarding this matter.

Respectfully,



JOHN H. ROBERTUS
Executive Officer

JHR:jpa:bkm

Enclosure: Addendum No. 5 to Cleanup and Abatement Order (CAO) No. 95-66

cc: Mr. John Lormon, Esq., Procopio, Cory, Hargeaves & Savitch, LLP, 530 B Street, Suite 2100
San Diego, CA 92101 (w/enclosure)

Mr. John L. Snyder, Department of Public Works, County of San Diego, 5201 Ruffin Road,
Suite D, San Diego, CA 92123 (w/enclosure)

Mr. Bill Hooper, Asset Manager, National Enterprises Incorporated, 5440 Morehouse Drive,
Suite 4000, San Diego, CA 92121 (w/enclosure)

Mr. James O'Day, Esq., County of San Diego, Office of County Counsel, 1600 Pacific Highway,
Suite 355, San Diego, CA 92101 (w/enclosure)

Mr. David Wick, SD Commercial, LLC., 5440 Morehouse Dr., Ste 4000, San Diego, CA
92121(w/enclosure)

Mr. David Wick, National Enterprises, Inc., 5440 Morehouse Dr., Ste 4000, San Diego, CA
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Mr. David Wick, Rhode Island Acquisitions, No. 1, LLC., 5440 Morehouse Dr., Ste 4000,
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